

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH GILL,

Defendant.

Case:2:22-cr-20672

Judge: Parker, Linda V.

MJ: Stafford, Elizabeth A.

Filed: 12-20-2022 At 02:08 PM

INDI USA V JOSEPH GILL (LG)

VIOLATIONS:

18 U.S.C. § 1343

18 U.S.C. § 1028A

18 U.S.C. § 922(g)(1)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

18 U.S.C. § 1343

Wire Fraud

On or about April 9, 2022, in the Eastern District of Michigan, the defendant, JOSEPH GILL, with the intent to defraud, knowingly devised and executed a scheme to defraud JP Chase Morgan Bank, a financial institution, and to obtain money and property by means of false and fraudulent pretenses, representations and promises. It was a part of the scheme that defendant falsely represented he was another individual and used a fraudulent Wisconsin driver's license in another individual's name and with that person's personally identifiable information to finance the purchase of a 2020 Dodge Challenger from Feldman Chevrolet of

Livonia through JP Morgan Chase Bank. For the purpose of executing the scheme, defendant caused to be transmitted by means of wire communication in interstate commerce the writings, signs, signals, pictures, and sounds, namely, a credit application sent to JP Morgan Chase Bank from Feldman Chevrolet of Livonia. The credit application was sent via wire communication through RouteOne, whose server is located in Las Vegas, Nevada.

All in violation of Title 18, United States Code, Section 1343.

COUNT TWO
18 U.S.C. § 1343
Wire Fraud

On or about April 18, 2022, in the Eastern District of Michigan, the defendant, JOSEPH GILL, with the intent to defraud, knowingly devised and executed a scheme to defraud Ally Financial, Inc., a financial institution, and to obtain money and property by means of false and fraudulent pretenses, representations and promises. It was a part of the scheme that defendant falsely represented he was another individual and used a fraudulent Wisconsin driver's license in another individual's name and with that person's personally identifiable information to finance the purchase of a 2022 Chevrolet Corvette from Feldman Chevrolet of Livonia through Ally Financial, Inc. For the purpose of executing the scheme, defendant caused to be transmitted by means of wire communication in interstate commerce the writings, signs, signals, pictures, and sounds, namely, a credit

application sent to Ally Financial, Inc. from Feldman Chevrolet of Livonia. The credit application was sent via wire communication through RouteOne, whose server is located in Las Vegas, Nevada.

All in violation of Title 18, United States Code, Section 1343.

COUNTS THREE THOUGH FOUR

18 U.S.C. § 1028A(a)(1)

Aggravated Identity Theft

The allegations set forth above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein. On or about the dates listed below, in the Eastern District of Michigan, defendant JOSEPH GILL, did knowingly possess, use and transfer, without lawful authority, a means of identification of another person during and in relation to the felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: Wire Fraud, in violation of 18 U.S.C. § 1343, knowing that the means of identification belonged to another actual person, as follows:

<u>Count</u>	<u>Date of Use</u>	<u>Nature of Use</u>	<u>Victim</u>
3	April 18, 2022	Application for Vehicle Financing	J.H.
4	April 9, 2022	Application for Vehicle Financing	J.H.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT FIVE

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm

On or about April 29, 2022, in the Eastern District of Michigan, the defendant, JOSEPH GILL, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, firearms, that is, a Romarm/Cugir, model Draco, 7.62 x 39mm pistol; a Glock, model 45 9mm pistol; and a Glock, model 23Gen4, .40 caliber pistol, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm

On or about January 16, 2021, in the Eastern District of Michigan, the defendant, JOSEPH GILL, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is, a Glock, model 22 Gen4 .40 caliber pistol, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

18 U.S.C. § 924(d), 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461

The allegations contained in Counts One through Six are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d); Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United States Code, Section 2461.

Upon conviction of the offense(s) charged in Counts One and Two of this Indictment, in violation of Title 18, United States Code, Section 1343, the defendant shall forfeit to the United States any property which constitutes or is derived from proceeds traceable to the offense(s), pursuant to Title 18, United States Code, Section 981(a)(1)(C) together with Title 28, United States Code, Section 2461.

Upon conviction of violating Title 18, United States Code, Section 922(g), as charged in this Indictment, defendant shall forfeit to the United States any firearm and ammunition involved in or used in his knowing violation of Section 922(g), pursuant to Title 18, United States Code, Section 924(d) together with Title 28, United States Code, Section 2461.

Substitute Assets: If the property described above as being subject to forfeiture, as a result of any act or omission of defendant:

- (a) Cannot be located upon the exercise of due diligence;
- (b) Has been transferred or sold to, or deposited with, a third party;
- (c) Has been placed beyond the jurisdiction of the Court;
- (d) Has been substantially diminished in value; or

- (e) Has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 28, United States Code, Section 2461, to seek to forfeit any other property of defendant up to the value of the forfeitable property described above.

Money Judgment: Upon conviction of violating 18, United States Code, Section 1343, defendant shall be ordered to pay the United States a sum of money equal to the total amount of proceeds defendant obtained as a result of such violation(s).

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

DAWN N. ISON
United States Attorney

s/Brandy R. McMillion
BRANDY R. McMILLION
Chief, General Crimes Unit
Assistant United States Attorney

s/Rosemary Wummel Gardey
ROSEMARY WUMMEL GARDEY
Assistant United States Attorney

Date: December 20, 2022

United States District Court
Eastern District of Michigan

Criminal Case Cover Sheet

Case:2:22-cr-20672
Judge: Parker, Linda V.
MJ: Stafford, Elizabeth A.
Filed: 12-20-2022 At 02:08 PM
INDI USA V JOSEPH GILL (LG)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete this form.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>PHJ</i>

Case Title: USA v. JOSEPH GILL

County where offense occurred : Wayne and elsewhere

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

☒ Indictment/ ☐ Information --- ☒ no prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: _____]
☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
-----------------------	----------------	--

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

December 20, 2022
Date

Rosemary Mummel Gardey
 Rosemary Mummel Gardey
 Assistant United States Attorney
 211 W. Fort Street, Suite 2001
 Detroit, MI 48226-3277
 Phone: (313) 226-0285
 Fax: (313) 226-2372
 E-Mail address: rosemary.gardey@usdoj.gov
 Attorney Bar #: P49019

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.